

FILE

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August 20, 2008

Ms. Renee Jenkins
Secretary
Public Utilities Commission of Ohio
180 East Broad Street, 10th Floor
Columbus, OH 43215-3793

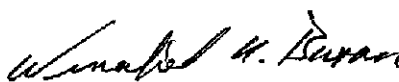
Re: Case No. 08-0635-TP-ATA: Revisions to Proposed Tariff
of AboveNet Communications, Inc.

Dear Ms. Jenkins,

Enclosed, on behalf of AboveNet Communications, Inc. ("AboveNet") and pursuant to discussions with Staff, please find an original, seven copies and a duplicate of revisions to AboveNet's Detariffing Form, originally submitted May 27, 2008. This filing, consisting of revised Exhibit B, reinstates language for collection of deposits and advance payments to the Company's proposed interexchange services tariff.

Please date-stamp the duplicate and return it in the pre-addressed, pre-stamped envelope provided. If there are any questions concerning this filing, please contact me at (202) 342-8819 or via email at wbrantl@kelleydrye.com. Thank you for your assistance with this matter.

Cordially,



Winafred R. Brantl*

cc: Erin E. Scribner (via email)

* Member of the Maryland State Bar; not admitted in the District of Columbia at this time.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
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TITLE SHEET

DEDICATED TELECOMMUNICATIONS SERVICES

This tariff applies to the provision of dedicated one-way and/or two-way information transmission services furnished by AboveNet Communications, Inc. ("AboveNet" or "Company" or "Carrier") between one or more points in the State of Ohio. This tariff is on file with the Public Utilities Commission of Ohio, and copies may be inspected during normal business hours at AboveNet's principal place of business, 360 Hamilton Avenue, White Plains, New York 10601. A Service Guide describing the services that have been detariffed pursuant to Case No. 06-1345-TP-ORD can be found at: www.above.net.

Customers have certain rights and responsibilities under the Minimum Telephone Service Standards (Ohio Adm.Code 4901:1-5)(MTSS). These safeguards can be found in the Appendix to Ohio Adm.Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities". These rights and responsibilities include complaint handling, ordering or changing service, service repair, payment of bills, and disconnection and reconnection of service.

Issued: May 27, 2008

Effective: May 28, 2008

Issued under authority of the Public Utilities Commission of Ohio in Case No. 99-1341-CT-ACE

Issued by: AboveNet Communications, Inc.
360 Hamilton Avenue
White Plains, NY 10601

Section I.

1. Late Payment Charge

If any portion of the payment is received by the Company after the date due, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, then a late payment penalty shall be due to the Company. The late payment penalty shall be the portion of the payment not received by the date due, multiplied by a late factor. The late factor shall be the lesser of:

- (a) a rate of 1.5 percent per month; or
- (b) the highest interest rate which may be applied under Ohio state law for commercial transactions.

In the event that a billing dispute is resolved by the Company in favor of the Customer, any disputed amount withheld pending resolution of the billing dispute shall not be subject to the late payment charge. In the event that a billing dispute is resolved in favor of the Company, the Customer shall pay the late payment charge.

2. Returned Check Charge

The Customer will be assessed a charge of twenty-five dollars (\$25.00) for each check submitted by the Customer to the Company which a financial institution refuses to honor.

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Section I. *continued*

3. Customer Deposits and Advance Payments

3.1 Deposits

To safeguard its interests, the Company may require the Customer to make a deposit to be held as a guarantee for the payment of charges. A deposit does not relieve the Customer of the responsibility for the prompt payment of bills on presentation. The deposit will not exceed an amount equal to:

- (A) three months' charges for a service or facility which has a minimum payment period of one month; or
- (B) the charges that would apply for the minimum payment period for a service or facility which has a minimum payment period of more than one month; except that the deposit may include an additional amount in the event that a termination charge is applicable.

A deposit may be required in addition to any advance payments required for the provision of services.

When a service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, the Company may, at its option, return the deposit or credit it to the Customer's account. If the amount of the deposit is insufficient to cover the balance due to the Customer's account, the Company retains the right to collect any amounts owing after the deposit has been applied plus any costs related to the collection of any remaining balance.

Deposits held will accrue interest at a rate of 7% per annum. Interest will not accrue on any deposit after the date on which reasonable effort has been made to return it to the Customer.

3.2 Advance Payments

To safeguard its interests, the Company may require a Customer to make an advance payment before services and facilities are furnished. The advance payment will not exceed an amount up to two months of estimated monthly usage charges. In addition, where special construction is involved, the advance payment may also include an amount equal to the estimated non-recurring charges for the special construction and recurring charges (if any) for a period to be set between the Company and the Customer. The advance payment will be credited to the Customer's initial bill. An advance payment may be required in addition to a deposit.

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